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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,775	04/10/2001	Uwe Meding	CHIP 1957000	1041

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EXAMINER

HUTTON JR, WILLIAM D

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/829,775

Applicant(s)

MEDING, UWE

Examiner

Doug Hutton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-25 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1, 2, 3, 8, 12, 13, 14 and 18, drawn to a method of and an apparatus for extracting data from a source document and creating a table, classified in Class 715, Subclass 509.
- II. Claims 4, 5, 6, 7, 15, 16, 17, 22 and 24, drawn to a method of and an apparatus for eliminating a group of quads in a source document, classified in Class 715, Subclass 530.
- III. Claims 9, 11, 19 and 21, drawn to a method of and an apparatus for converting information from an input file into a text file, classified in Class 715, Subclass 530.
- IV. Claims 10 and 20, drawn to a method of and an apparatus for converting table related information in an input file into a spreadsheet file, classified in Class 715, Subclass 503.
- V. Claims 23 and 25, drawn to a method of and an apparatus for aligning textual matter in textual quads in an output document, classified in Class 715, Subclass 509.

The inventions are distinct, each from the other because:

Inventions I and II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)).

In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the combination as claimed does not set forth the details of the subcombination as claimed and the subcombination has separate utility. The subcombination has separate utility such as determining the orientation of straight lines within a quad and eliminating those quads with straight lines that are not either horizontal or vertical.

Inventions I and III are related as disclosed in the specification of the present invention. However, these inventions are patentably distinct because Invention III recites: 1) a "first predetermined distance" and a "second predetermined distance" between the quads; and 2) converting frames into an output document. Neither of these limitations are recited in the claims of Invention I.

Inventions I and IV are related as disclosed in the specification of the present invention. However, these inventions are patentably distinct because Invention IV recites: 1) creating a rectangle of substantially the same size as the table in the visual display document; and 2) inserting textual quads within created cells occupying

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substantially the same relative space in the created rectangle as in the table of the visually displayed source file. Neither of these limitations are recited in the claims of Invention I.

Inventions I and V are related as disclosed in the specification of the present invention. However, these inventions are patentably distinct because Invention V recites: 1) assigning virtual cut-lines to textual quads; and 2) using the virtual cut-lines in aligning textual matter in an output document. Neither of these limitations are recited in the claims of Invention I.

Finally, Inventions II, III, IV and V are related as disclosed in the specification of the present invention. However, these inventions are patentably distinct because each invention includes limitations not found in the other inventions.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper. Moreover, because the searches required for each individual group is not required for the other groups, restriction for examination purposes as indicated is proper.

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Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Doug Hutton whose telephone number is (703) 305-1701. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

WDH
September 27, 2004

A handwritten signature in black ink, appearing to read 'D. Hutton', with a large, stylized loop at the end.

**DOUG HUTTON
PATENT EXAMINER
TECH CENTER 2100**